

RESOLUTION # 245 AUTHORIZING APPOINTING PART-TIME HOUSING  
INSPECTOR FOR COMMUNITY DEVELOPMENT AGENCY.

Councilperson Pike offered the following resolution  
which was seconded by Councilperson Lombardi.

WHEREAS, the availability of the position of Housing Inspector  
was duly advertised; and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT RESOLVED that George Malahias be and is  
hereby appointed to the position of Part-time Housing Inspector  
with the Town of Riverhead at the hourly rate of \$11.82 and not  
to exceed 17.5 hours per week; and

BE IT FURTHER RESOLVED, that the effective date of employment for  
George Malahias is April 4, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
authorized to forward a copy of this resolution to George  
Malahias, 1120 Ostrander Avenue, Riverhead, New York, Andrea  
Lohneiss, Director of Community Development and the Office of  
Accounting.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 246 APPROVES SITE PLAN OF RIVERHEAD DODGE, INC.

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, a site plan and elevations were submitted by Anthony P. Strollo, Jr. for interior renovations resulting in changes to the west elevation of Riverhead Dodge, Inc. located at 624 West Main Street (New York State Route 25), Riverhead, New York, 11901, known and designated as Suffolk County Tax Map Number 0600-124-3-18; and

WHEREAS, the Planning Department has reviewed the site plan and elevations dated January 20, 1989, as prepared by the Office of Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Anthony P. Strollo, Jr., for the interior renovations resulting in changes to the west elevation of Riverhead Dodge, Inc., located at 624 West Main Street (New York State Route 25), Riverhead, New York, 11901, site plan and elevations dated January 20, 1989, as prepared by the Office of Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the

Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, ANTHONY P. STROLLO, JR. hereby authorizes the Town of Riverhead to enter premises at 624 West Main Street (New York State Route 25), Riverhead, New York, 11901, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That the conditions of the Zoning Board of Appeals determination affecting Appeal No. 89-39 shall remain in full force and effect as if completely set forth herein;

12. That the entire west facade be repainted prior to the issuance of a Certificate of Occupancy for the premises; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony P. Strollo, Jr., the Riverhead Planning Department and the Riverhead Building Department.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

**DECLARATION AND COVENANTS**

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by ANTHONY P. STROLLO, JR., residing at 18 Brancatelli Court, West Islip, New York 11795, Declarant.

**W I T N E S S E T H:**

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

**NOW, THEREFORE, THIS DECLARANT WITNESSETH:**

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.

Declarant has hereunto set his (her) hand and seal the day and year above first written.

ANTHONY P. STROLLO, JR.

STATE OF NEW YORK )  
 ) ss. :  
COUNTY OF SUFFOLK )

On the \_\_\_\_\_ day of \_\_\_\_\_, 1989, before me personally came ANTHONY P. STROLLO, JR., to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at 624 West Main Street (New York State Route 25), Riverhead, New York, 11901, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

# 247 GRANTS ADDITIONAL SICK TIME TO GERALDINE STRICKLAND

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, Geraldine Strickland has submitted a request to this Town Board in granting an advance of sick days to be paid back at a later date; and

WHEREAS, the CSEA Labor Contract of which this employee is covered, stipulates that this Town Board may grant at its discretion additional sick time by resolution.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board grants Geraldine Strickland an advance of ten (10) sick days; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Geraldine Strickland, Lisa Wulffraat and Chief Grattan.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 248 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
AMENDMENT TO CHAPTER 103 ARTICLE II OF THE RIVERHEAD TOWN  
CODE

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to amending Chapter 103, Article II, of the Riverhead Town Code:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of April, 1989, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Chapter 103, Article II, of the Riverhead Town Code as follows:

Adding Section 103-13.1 as follows:

Section 103-13.1. Recyclables and Household Hazardous Wastes.

Except as hereinafter provided:

- A. All vehicles entering the Town landfill for the exclusive purpose of depositing recyclables and/or household hazardous wastes in designated containers or storage facilities maintained at the landfill shall be exempt from the requirements of Sections 103-10, 103-11 and 103-12 hereof.
  - (1) The owner/operator of any vehicles entering the landfill pursuant to the exemption from the requirements of Section 103-10, as conferred by this section, shall be required to present to the gate attendant proof of residency in the Town of Riverhead in the form of a valid New York State driver's license or a current vehicle registration receipt.
- B. All recyclables and household hazardous wastes brought to the Town landfill for deposit in designated containers or storage facilities maintained at the landfill for such purpose, by vehicles subject to the requirements of Section 103-11(B) shall be excluded from the tonnage calculation of such vehicles for the purpose of determining the weight of such vehicles and the usage fees to be charged to such vehicles, provided, however, that:



- (1) Recyclables and household hazardous wastes are segregated from other wastes prior to entering the landfill; and
- (2) The owner/operator of such vehicle presents to the landfill gate attendant proof of residency as per Section 103-13.1(A)(1); or
- (3) If the vehicle in question is owned/operated by a garbage hauler as defined herein, the vehicle has the sticker required by Section 103-10(A)(3).

Adding the following definitions to Section 103-14. Definitions.  
as follows:

RECYCLABLES - Clean, dry newspapers, bundled and tied or placed in brown paper bags; clean, dry corrugated paper and cardboard, flattened and stacked; clean, dry plastic goods and containers; clean, dry metal and aluminum cans; clean, dry glass bottles, jars and containers.

HOUSEHOLD HAZARDOUS WASTES - All wastes and materials acceptable for disposal at the household hazardous waste facility placed at the Town landfill for such purpose, including: paints, pesticides, herbicides, fungicides, cleaning fluids, solvents, waste oils, poisons, wood stains and varnishes, polishes, degreasers, antifreeze, septic tank cleaners, inks, moth balls and flakes, waterproofer, and all containers for the storage of same, household batteries and automobile batteries.

Dated: Riverhead, New York  
April 4, 1989.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 249 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
AMENDMENT TO SECTION 101-10.2 OF THE RIVERHEAD TOWN CODE

Councilperson Pike offered the following resolution, which was seconded by Councilperson Lombardi:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to amending Section 101-10.2 of the Riverhead Town Code:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of April, 1989, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 101-10.2 of the Riverhead Town Code by adding the following location:

Section 101-10.2. Parking, standing or stopping prohibited except for volunteer firemen.

**Street/Area**

**Location**

Lewis Street

Beginning at a point 167 feet from the intersection of Melene Avenue and Lewis Street, 140 feet along the northerly side of Lewis Street.

Dated: Riverhead, New York  
April 4, 1989.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 250 ORDER AND DETERMINATION, RE: INCREASE AND IMPROVEMENT TO THE RIVERHEAD SEWER DISTRICT COMPRISING PURCHASE AND INSTALLATION OF POLYMER FEED SYSTEM/SUBMERSIBLE PUMP PURSUANT TO SECTION 202-b OF THE TOWN LAW

Councilman Lombardi offered the following resolution which was seconded by Councilman Civiletti,

WHEREAS, the Town Board of the Town of Riverhead, as governing body of the Riverhead Sewer District, caused Malcolm Pirnie, licensed and competent engineers, to prepare a map and plan detailing improvements to the Riverhead Sewage Treatment Plant at Riverhead, New York, which map and plan is on file with the Riverhead Town Clerk, and

WHEREAS, by resolution dated March 7, 1989, the Riverhead Town Board called a public hearing to hear all interested persons regarding the increase and improvement of the facilities of the Riverhead Sewer District comprising the acquisition and installation of a polymer feed system and submersible pump at a maximum cost not to exceed \$21,200, and all persons wishing to be heard were heard at the public hearing held March 21, 1989,

NOW, THEREFORE, upon the evidence presented at the public hearing and the map and plan, it is resolved that the Riverhead Town Board hereby determines that these improvements are in the best interest of the residents of the Riverhead Sewer District and it is further

RESOLVED, that these improvements may not exceed a maximum cost of \$21,200, and it is further

RESOLVED, that the Town Clerk forward a copy of this resolution to Malcolm Pirnie, Pierre Lundberg, Esq., and Philip Barbato of the NYS DEC.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/4/89

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# 251 AUTHORIZES THE SOLICITATION FOR BIDS FOR THE PURCHASE OF SUBMERSIBLE PUMPING EQUIPMENT FOR USE BY THE SEWER DISTRICT

Councilperson Pike offered the following resolution which was seconded by Councilperson Civiletti.

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for sealed bids for the purchase of Submersible Pumping Equipment for use by the Riverhead Sewer District; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to open a publicly read aloud said bids on Monday, April 17, 1989 at 11:00 a.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901; and to make a report of said bids to the Town Board at the next meeting following the opening of the bids.

#### NOTICE TO BIDDERS

PLEASE TAKE NOTICE, that sealed bids for the purchase of Submersible Pumping Equipment for use by the Riverhead Sewer District will be received by the Town Clerk of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901 until 11:00 a.m. on Monday, April 17, 1989.

Instructions for bidders, specifications, and bid forms may be obtained at the Town Clerk's Office at Riverhead Town Hall, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet bearing the designation "Exceptions To The Specifications", and attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formalities if it believes such action to be in the best interests of the Town.

All bids will be submitted in a sealed envelope bearing the designation "Submersible Pumping Equipment".

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Irene J. Pendzick, Town Clerk

Dated: April 4, 1989  
Riverhead, New York

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 252 AUTHORIZES THE SOLICITATION FOR BIDS FOR THE PURCHASE  
OF POLYMER SYSTEM FOR USE BY THE SEWER DISTRICT

Councilperson Pike offered the following  
resolution which was seconded by Councilperson Civiletti.

RESOLVED, that the Town Clerk be and is hereby authorized to  
advertise for sealed bids for the purchase of Polymer System for  
use by the Riverhead Sewer District; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
authorized to open a publicly read aloud said bids on Monday,  
April 17, 1989 at 11:05 a.m. at the Riverhead Town Hall, 200  
Howell Avenue, Riverhead, NY 11901; and to make a report of  
said bids to the Town Board at the next meeting following the  
opening of the bids.

NOTICE TO BIDDERS

PLEASE TAKE NOTICE, that sealed bids for the purchase of  
Polymer System for use by the Riverhead Sewer District will be  
received by the Town Clerk of the Town of Riverhead at Riverhead  
Town Hall, 200 Howell Avenue, Riverhead, NY 11901 until 11:05  
a.m. on Monday, April 17, 1989.

Instructions for bidders, specifications, and bid forms may  
be obtained at the Town Clerk's Office at Riverhead Town Hall,  
Monday through Friday between the hours of 8:30 a.m. and 4:30  
p.m.

All bids will be submitted on the bid form provided. Any  
and all exceptions to the specifications will be listed on a  
separate sheet bearing the designation "Exceptions To The  
Specifications", and attached to the bid form.

The Town Board reserves the right and responsibility to  
reject any or all bids or to waive any formalities if it believes  
such action to be in the best interests of the Town.

All bids will be submitted in a sealed envelope bearing the  
designation "Polymer System".

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Irene J. Pendzick, Town Clerk

Dated: April 4, 1989  
Riverhead, New York

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 253

AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST PUBLIC NOTICE  
TO CONSIDER A LOCAL LAW PROHIBITING LITTERING

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a public hearing to hear all interested persons to consider a local law prohibiting littering in the Town of Riverhead; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, at 8:45 o'clock p.m., at Town Hall, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, as a result of said public hearing, substantial changes were made to the proposed local law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to republish and repost the following public notice to consider a local law prohibiting littering:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of April, 1989, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the following local law prohibiting littering.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish this notice, together with the attached copy of the proposed local law, once in the **Riverhead News-Review** and to post same on the signboard at Town Hall.

Dated: Riverhead, New York  
April 4, 1989.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

CHAPTER 98  
A Proposed Local Law Prohibiting  
the Accumulation of Litter

- 98-1. Purpose.
- 98-2. Definitions.
- 98-3. Litter on public and private property.
- 98-4. Duty to keep private property free of litter.
- 98-5. Litter from vehicles.
- 98-6. Distribution of handbills.
- 98-7. Accumulation prohibited in shopping centers.
- 98-8. Enclosure of dumpsters.
- 98-9. Enforcement.
- 98-10. Penalties for offenses.
- 98-12. Validity.
- 98-12. Effective date.

[HISTORY: Adopted by the Town Board of the Town of Riverhead (date) as Local Law No. -1989.]

- 98-1. Purpose.

It is hereby declared and found that litter carelessly deposited in the Town of Riverhead is the cause of civic disgrace; that litter is a health, fire and safety hazard; that an all-out litter control campaign can result in substantial savings to taxpayers of the Town of Riverhead; and that litter is a matter affecting the public interest and consequently should be subject to supervision and administrative control for the purpose of safeguarding the public health, safety and general welfare of the people of the Town of Riverhead.

- 98-2. Definitions.

The following terms used in this Local Law shall have the following meanings:

HANDBILL: A written or printed notice displayed, handed out or posted to inform those concerned of something to be done or some event.

**LANDSCAPED AREAS:** Any area on or about the premises described herein, including parking lot "islands", which is used for the placement of landscaping such as shrubbery, trees, grass and flowers.

**LITTER/PAPER; WASTE/RUBBISH:** All waste material of any nature whatsoever, including but not limited to paper and plastic bags, paper and plastic cups, foodstuffs, food wrappings, cigar and cigarette butts, newspapers, advertisements, flyers, handbills, cans, bottles, glass, which tends to create a danger to public health, safety and welfare and/or which creates an unsightly condition, whether or not the waste material was generated by the owner of the property, by a lessee of the owner or a customer of the owner or lessee.

**OFFICE COMPLEX:** Any premises on which are located two or more separate office/service uses.

**PARKING AREA:** The area, paved or unpaved, surrounding any premises described herein which is held out for use by the patrons of such premises for the parking of vehicles. The area surrounding any premises described herein which is used for loading and unloading and/or for the storage of trash bins, refuse containers or dumpsters.

**RESTAURANTS:** Any premises on which food and beverages, including alcoholic beverages, are prepared and offered for sale to the public for either on-premises or off-premises consumption.

**RETAIL ESTABLISHMENT/COMMERCIAL ESTABLISHMENT:** any premises on which retail sales or commercial transaction are engaged in which the public, including but not limited to supermarkets, laundromats, dry cleaners, butcher shops, dry goods stores and department stores.

**SHOPPING CENTER/SHOPPING MALL:** Any open or enclosed area containing two or more stores, retail establishments and/or commercial establishments which are open to the public or to which the public by invitation of the proprietors thereof may readily gain access.

**98-3. Litter on public and private property.**

No person shall cause litter to be thrown or deposited in or upon public or private property within the Town except in public receptacles, in authorized private or commercial receptacles or in public disposal facilities. Persons placing or removing litter in or from public receptacles or authorized private and commercial receptacles shall do so in such manner as to prevent it from being scattered, carried or deposited upon any street, sidewalk or other public or private property.



**98-5. Duty to keep private property free of litter.**

Any person owning, occupying or in control of private property shall maintain such property, including the sidewalk in front thereof, free of litter.

**98-6. Litter from vehicles.**

No person shall drive or move any truck or other vehicle within the town unless such vehicle is so constructed or loaded to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public or private property. This shall include litter thrown from a vehicle. Any litter thrown from a vehicle shall be the responsibility and offense of the driver of said vehicle.

**98-7. Distribution of handbills.**

A. Distribution to vehicles. No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle provided, however, that it shall not be unlawful on any public property for a person to hand out or distribute, without charge to the receiver thereof, a handbill to any occupant of a vehicle who is willing to accept it.

B. Distribution on uninhabited or vacant private property. No person shall throw or deposit any commercial or noncommercial handbill in or upon any private property which is temporarily or continuously unoccupied or vacant.

**98-8. Accumulation of litter prohibited in shopping centers.**

Every owner of a shopping center, shopping mall, retail establishment, restaurant, commercial establishment or office complex shall keep the pedestrian walkways, parking areas, landscaped and curbsides clean and free of litter, paper waste, rubbish and debris of any nature.

**98-9. Enclosure of dumpsters.**

All dumpsters shall be fully enclosed by a stockade fence enclosure of not more than five (5) feet in height. Said dumpster shall be equipped with a lid and shall be of durable construction. In addition, the fence enclosure shall meet all of the Town of Riverhead Planning Board fence specifications as set forth in the regulations of the Planning Board. All dumpsters in use prior to the effective date of this local law shall be in compliance with said Planning Board specifications within six (6) months of the effective date of this local law.

**98-10. Enforcement.**

The provisions of this local law shall be enforced by the Ordinance Inspector and by the Police Officers of the Town of

Riverhead, who shall be authorized to issue summonses to violators at the site of the violation. If the owner of the property on which the violation exists cannot be personally served at the time of the issuance of the summons, the summons shall be served upon the owner by certified mail, return receipt requested, addressed to the owner or its designated managing agent at the address listed in the property tax rolls as the address of the property owner.

**98-11. Penalties for offenses.**

Any violation of Section 98-4 through 98-7 of this Local Law shall be an offense punishable by a fine of no less than fifty dollars (\$50.) and not to exceed three hundred fifty dollars (\$350.) or imprisonment for a period not to exceed fifteen (15) days for each such offense, or by both such fine and imprisonment.

Any violation of Section 98-8 and 98-10 of this Local Law shall be deemed an offense punishable by a penalty of not less than two hundred fifty dollars (\$250.) for the first offense within a period of eighteen (18) months; by a penalty of not less than five hundred dollars (\$500.) for the second offense; and by a penalty of not less than one thousand dollars (\$1,000.) for any succeeding offense within the same eighteen (18) month period.

**98-12. Validity.**

If any section, subsection, sentence, clause, phrase or portion of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, which portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**98-13. Effective date.**

This local law shall become effective upon the filing thereof in the Office of the Secretary of State as provided for in the Municipal Home Rule Law.

Date \_\_\_\_\_

No. 254

COUNCILPERSON Lombardi offered the following resolution, which was seconded by COUNCILPERSON Civiletti.

RESOLVED, that the Supervisor be and hereby is, authorized to transfer the following:

BUDGET ADJUSTMENTS

GENERAL FUND

001.5.1990.400	Contingency Account	\$58,150.00
001.4.3920.001	Hazardous Waste State Aid	10,000.00

001.5.8160.201	Hazardous Waste Containment Facility	\$16,500.00
001.5.3120.202	Sound Testing Equipment	12,650.00
001.5.3120.233	Marine Unit	39,000.00

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 255 AUTHORIZES ATTENDANCE OF SERGEANT CHESHIRE AT SEMINAR

Councilperson Pike offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, the New York State Crime Prevention Coalition will be sponsoring a "NYS Crime Prevention Coalition Training" seminar to be held in Dunkirk, New York on April 10-12, 1989; and

WHEREAS, it is the desire of Sergeant Cheshire to attend said seminar; and

WHEREAS, it is the recommendation of the Superiors of Sergeant Cheshire to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Sergeant Cheshire be and is hereby authorized to attend the "NYS Crime Prevention Coalition Training" seminar to be held Dunkirk, NY on April 10-12, 1989; and

BE IT FURTHER RESOLVED, that Sergeant Cheshire receive advance monies in the amount of \$250 for related expenses, said expenses to be fully receipted upon his return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Sergeant Cheshire, Lt. Grattan and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 256

AUTHORIZES ATTENDANCE OF HIGHWAY SUPERINTENDENT AT SUFFOLK  
COUNTY HIGHWAY SUPERINTENDENTS' ASSOCIATION CONFERENCE

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Lombardi.

WHEREAS, THE SUFFOLK COUNTY HIGHWAY SUPERINTENDENTS' ASSOCIATION ANNUAL CONFERENCE SHALL BE HELD SUNDAY, JUNE 11, 1989, THROUGH WEDNESDAY, JUNE 14TH AT SHELTER ISLAND, NEW YORK, AND

WHEREAS, HIGHWAY SUPERINTENDENT BLOSS HAS EXPRESSED A DESIRE TO ATTEND SAID CONFERENCE,

NOW, THEREFORE, BE IT RESOLVED, THAT THE HIGHWAY SUPERINTENDENT CHARLES BLOSS BE AND IS HEREBY AUTHORIZED TO ATTEND THE SUFFOLK COUNTY HIGHWAY SUPERINTENDENTS' ASSOCIATION ANNUAL CONFERENCE, JUNE 11TH THROUGH JUNE 14TH, 1989 AT SHELTER ISLAND NEW YORK, AND

FURTHER, BE IT RESOLVED, THAT ALL NECESSARY FEES AND EXPENSES BE ADVANCED AND CHARGED TO THE APPROPRIATE HIGHWAY DEPT. ACCOUNT. SAID EXPENSES SHALL NOT EXCEED \$315.00 AND SHALL BE FULLY RECEIPTED.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was theruepon duly declared adopted.

# 257 APPOINTS JEFFREY KARP, ESQ., AS SPECIAL COUNCIL

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

RESOLVED, that Jeffrey Karp, Esq., be and is hereby appointed Special Counsel to the Town of Riverhead to prosecute certain proceedings at a rate as is on file with the Town Clerk.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 258 ACCEPTS BOND OF AQUEBOGUE ASSOCIATES - SECTION 1 (ROAD AND DRAINAGE IMPROVEMENTS)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Riverhead Planning Board, by resolution dated April 29, 1988, approved the subdivision map entitled "Aquebogue Associates - Section 1", subject to the posting of a bond in the amount of two hundred nine thousand and 00/100 (\$209,000.00), covering the costs of improvements required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the performance bond of Aquebogue Associates, assuring the completion of the improvements in the subdivision known as "Aquebogue Associates - Section 1", covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Aquebogue Associates, the Planning Board, the Town Attorney and the Building Department.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 259 ACCEPTS BOND OF AQUEBOGUE ASSOCIATES - SECTION 1 (PARKS, PLAYGROUND & OTHER RECREATIONAL PURPOSES)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Riverhead Planning Board, by resolution dated April 29, 1988, approved the subdivision map entitled "Aquebogue Associates - Section 1", subject to the posting of a bond in the amount of thirty-four thousand and 00/100 (\$34,000), covering the costs of park, playground and other recreational purposes required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the performance bond of Aquebogue Associates, assuring the completion of the improvements in the subdivision known as "Aquebogue Associates - Section 1", covering park, playground and other recreational purposes directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Aquebogue Associates, the Planning Board, the Town Attorney and the Building Department.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.



# 260     REJECTS BIDS FOR WATER SERVICE MATERIALS FOR USE BY THE  
RIVERHEAD WATER DISTRICT

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for water service materials for use by the Riverhead Water District; and

WHEREAS, all bids were received on the date and at the time specified in said notice to bidders; and

WHEREAS, all bids are hereby rejected.

NOW, THEREFORE, BE IT

RESOLVED, that the bids for water service materials for use by the Riverhead Water District be and are hereby rejected; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for water service materials; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Water District.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of WATER SERVICE MATERIALS for the use by  
the RIVERHEAD WATER DISTRICT, will be received by the Town Clerk of the  
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until  
11:00 a.m. on April 17, 1989.

Bid packets, including specifications, instructions and bid forms, may be  
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the  
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the  
specifications must be listed on a separate sheet of paper bearing the designation  
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all  
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,  
WATER SERVICE MATERIALS.

DATED: \_\_\_\_\_

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

# 261 CALLS PUBLIC HEARING, RE: INCREASE AND IMPROVEMENT TO THE RIVERHEAD-SOUTHAMPTON SCAVENGER WASTE DISTRICT AND RIVERHEAD SEWER DISTRICT, CHLORINE CONTACT TANK MIXING IMPROVEMENTS PURSUANT TO SECTION 202-b OF THE TOWN LAW

Councilman Lombardi offered the following resolution which was seconded by Councilman Civiletti,

WHEREAS, the Riverhead Town Board, as governing body for the Town of Riverhead of the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District, has caused Malcolm Pirnie, licensed and competent engineers, to prepare a map and plan detailing improvements to said districts, and

WHEREAS, said map and plan details the improvements to the existing chlorine contact tank mixing facilities, and

WHEREAS, the maximum amount to be expended as detailed in the map and plan is \$37,000, and

WHEREAS, the improvement to the existing chlorine contact tank mixing facilities is to be a shared cost between the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District requiring a public hearing pursuant to Section 202-b of the Town Law, and

WHEREAS, the Town Board of the Town of Riverhead desires to call a public hearing to hear all interested persons wishing to be heard with regard to the increase and improvements of the two districts comprising improvements to the chlorine contact tank mixing facilities as detailed in the map and plan as submitted by Malcolm Pirnie which is on file and available for inspection at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, during 8:30 a.m. and 4:30 p.m. daily,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on the 18th day of April, 1989, at 8:10 p.m. to be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wishing to be heard regarding the increase and improvement of the facilities of the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District for improvements to the existing chlorine contact tank mixing facilities at a maximum cost not to exceed \$37,000, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in the April 6th issue of The News Review, and it is further

RESOLVED, that the Town Clerk forward a copy of this resolution to Malcolm Pirnie, Pierre Lundberg, Esq., and Philip Barbato of the NYS DEC. and the Town of Southampton.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTION # 262 AUTHORIZING SUBMISSION OF THE TOWN OF  
RIVERHEAD'S 1989 COMMUNITY DEVELOPMENT BLOCK GRANT.

Councilperson Pike offered the following resolution  
which was seconded by Councilperson Civiletti.

WHEREAS, the Town of Riverhead Community Development Agency has prepared an application for Community Development Block Grant funds for submission to the U.S. Department of Housing and Urban Development on or before April 17, 1989; and

WHEREAS, the Town has developed its application so as to give maximum feasible priority to activities which benefit low and moderate income persons or aid in the prevention or elimination of slums or blight; and

WHEREAS, the Town is following a Citizen Participation Plan and consistent with said plan has held two public hearings regarding the development and submission of the proposed application; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant submission and to execute a community development and housing program;

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Riverhead to execute and submit the Community Development Block Grant Application as prepared by the Town of Riverhead Community Development Agency, including all assurances and certifications therein.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 263 AWARDS BID FOR BAY CONSTABLE BOAT

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for a 1986 or newer, new or used boat for use by the Town of Riverhead Bay Constable; and

**WHEREAS**, bids were received and read aloud on the 14th of March, 1989, at 11:20 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

**WHEREAS**, a total of four (4) bids were received.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for a 1986 or newer, new or used boat for use by the Town of Riverhead Bay Constable be and is hereby awarded to Steins Boat Sales, Inc. in the amount of thirty-eight thousand nine hundred thirty-nine and 00/100 (\$38,939.00) dollars; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Steins Boat Sales, Inc. and the Riverhead Bay Constable.

The vote, Boschett, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 264 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD  
RE: CROSSING GUARD

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, there are available positions for School Crossing Guards.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the display Help Wanted Ad for School Crossing Guards, in the April 6, 1989 issue of the News Review.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve as School Crossing Guards. Interested individuals must submit an application to the Riverhead Police Department, 210 Howell Avenue, Riverhead, New York between 8:30 a.m. and 4:30 p.m. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

The hourly rate of compensation for said position is \$6.40 and uniforms are provided.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Irene J. Pendzick, Town Clerk

Dated: April 4, 1989

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 265

AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIAL

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Civiletti

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR  
BIDS TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MAT-  
ERIALS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 20TH  
OF MARCH, 1989 AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVE.  
RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO  
BIDDERS; AND

WHEREAS, A TOTAL OF NINE (9) BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID TO FURNISH  
AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, GROUP  
# 'S 6 AND 7 BE AND IS HEREBY AWARDED TO T.H. GANNON & SONS,  
P.O. BOX 505, MIDDLE ISLAND, N.Y. 11953.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND  
IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS  
RESOLUTION TO T.H. GANNON & SON AND THE RIVERHEAD HIGHWAY DE-  
PARTMENT.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 266

AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIAL

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Civiletti

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR  
BIDS TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MAT-  
ERIALS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 20TH  
OF MARCH, 1989 AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVE.  
RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO  
BIDDERS; AND

WHEREAS, A TOTAL OF NINE (9) BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID TO FURNISH  
AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, GROUP #'S  
1,2,3,4 & 5 BE AND IS HEREBY AWARDED TO SOUTH FORK ASPHALT,  
P.O. DRAWER 2028, EAST HAMPTON, N.Y. 11937

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND  
IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS  
RESOLUTION TO SOUTH FORK ASPHALT AND THE RIVERHEAD HIGHWAY  
DEPARTMENT.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.



## TOWN OF RIVERHEAD

## RESOLUTION # 267

AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIAL

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Civiletti

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR  
BIDS TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MAT-  
ERIALS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 20TH  
OF MARCH, 1989 AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVE.  
RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO  
BIDDERS; AND

WHEREAS, A TOTAL OF NINE (9) BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID TO FURNISH  
AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, GROUP #'  
8,9,10 & 11 BE AND IS HEREBY AWARDED TO BIMASCO, INC., 242  
KINGS HIGHWAY, DRAWER 298, HAUPPAUGE, N.Y. 11787.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND  
IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS  
RESOLUTION TO BIMASCO, INC. AND THE RIVERHEAD HIGHWAY DEPART-  
MENT.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RESOLUTION # 268  
APPOINTS SUMMER INTERN

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Lombardi.

WHEREAS, IT IS BENEFICIAL TO THE TOWN OF RIVERHEAD  
HIGHWAY DEPARTMENT TO HIRE A SUMMER INTERN TO TEMPORARILY  
FILL THE POSITION OF SECRETARY TO THE HIGHWAY SUPERINTENDENT  
WHO WILL BE OUT ON MATERNITY LEAVE.

NOW, THEREFORE, BE IT RESOLVED, THAT HELEN MINDEN BE  
AND IS HEREBY APPOINTED TO SERVE AT THE PLEASURE OF THE  
SUPERINTENDENT OF HIGHWAYS DURING APRIL, MAY, JUNE, JULY,  
AUGUST AND SEPTEMBER AT THE HOURLY RATE OF \$6.50 AND

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS  
HEREBY AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO  
HELEN MINDEN, 414 FISHEL AVENUE EXT., RIVERHEAD, NEW YORK  
11901 AND THE ACCOUNTING DEPARTMENT.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

CBB

## TOWN OF RIVERHEAD

## RESOLUTION #269

## CONDITIONALLY APPROVES SPECIAL PERMIT OF WILLIAM HUBBARD

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Pike.

(See Vote at end of resolution)

WHEREAS, by an application verified January 20, 1987, William Hubbard did apply for a special permit for the construction of 380 clustered residential units with accessory recreational buildings and amenities on 78.356 acres located west of County Road 105, Riverhead, more specifically described in Exhibit "A" attached hereto, know as Suffolk County Tax Map No. 0600-112-01-06.1, and

WHEREAS, the Town Board has, by resolution declared itself "Lead Agency" for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, based upon a review of the Environmental Assessment Form, the Town Board determined (2/1/87) that the application was a Type I Action requiring an Environmental Impact Statement; and

WHEREAS, pursuant to public notice a hearing was held before this Town Board on April 21, 1987, to determine the scope of the Draft Environmental Impact Statement, and

WHEREAS, the applicant did file (1/5/88) with this Town Board a Draft Environmental Impact Statement which was accepted by this Board by resolution and was the subject of a public hearing before this Board, and

WHEREAS, this Board did accept the Final Environmental Impact Statement on this action on October 4, 1988 and did approve the

"Findings Statement" on December 20, 1988, and

WHEREAS, the Planning Board did render its recommendation for the Special Permit by resolution of February 17, 1989, and has recommended to the Riverhead Town Board that the special permit use is an appropriate use preferable to other identified uses, however, it did not recommended a yield (the exact number of units to be determined upon the submission and approval of a detailed site plan and condominium map), and

WHEREAS, the Suffolk County Planning Commission by resolution on March 1, 1989, resolved to disapprove the application, and

WHEREAS, pursuant to public notice, a public hearing was held before this Board on November 15, 1988 to hear all persons interested in the petition and said persons were heard, and

WHEREAS, the members of the Town Board individually and collectively have reviewed all matters, materials, testimony, etc. together with their personal knowledge of the site and surrounding properties in voting hereon.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does make the following findings:

#### STATUTORY FINDINGS

FIRST: The Riverhead Town Board pursuant to the State Environmental Quality Review Act made the following findings:

- (i) The Draft Environmental Impact Statement addressed each of the major environmental issues and impacts and adequately discussed mitigation measures to minimize impacts on existing wetlands, impacts to groundwater, impacts upon County Route 105 respecting vehicular traffic, surface water quality, stormwater drainage, impacts upon flora and fauna, economic impacts and impacts upon utilities and community services;

(ii) The Final Environmental Impact Statement has addressed all comments made by parties of interest specifically:

(1) That an archaeological investigation report commissioned by the applicant revealed that no physical evidence of prehistoric occupation was found in either field testing or literature search;

(2) That an investigation into the existence of flora and fauna commissioned by the applicant did not reveal the existence of either any rare, endangered or threatened species or any habitat which might support such species;

(3) That an engineered wastewater disposal system relying upon hookup to the Riverhead Sewer District will be submitted to the Riverhead Sewer District subsequent to the granting of a special permit. In the event that the Sewer District is unable to approve the petition due to insufficient capacity, the applicant would be required to detail the construction of an on-site sewage treatment as part of site plan review. The on-site wastewater treatment plan will require the approval of the Suffolk County Department of Health Services;

(4) That in order to gain site plan approval of the Riverhead Town Board and condominium map approval of the Riverhead Planning Board, the applicant shall be required to submit to the identified Boards and engineered site plan which shall depict those improvements as required by Section 108-31.1 and Article XXVI as well as the following:

- (a) All freshwater wetland boundaries as determined by the New York State Department of Environmental Conservation through site investigation;
- (b) A delineation of a 100 ft. setback of all land surfaces from the wetland edge with a conservation easement restricting disturbance;
- (c) A delineation of an open space area, controlled by a conservation easement, located along the boundary with Suffolk County parkland and County Route 105;
- (d) A delineation of the stormwater management system details, storage capacity analysis, planting and maintenance schedules, and impacts upon existing wetlands;
- (e) A delineation of a bus stop along County Route 105 for use by Suffolk County Feeder B u s ,

Jitney Bus, and Riverhead School District Bus, such bus stop to allow uninterrupted traffic flow on Route 105;

- (f) A landscaping plan showing all vegetation by species and all lawn areas;
- (g) A delineation of the access driveway as an extension of the existing roadway on Suffolk County parkland with construction and signage details on the roadway extension.
- (h) In the event that access from Suffolk County parkland cannot be secured, a delineation of an access point on Route 105 with a closing of the existing median to allow only right turn ingress and right turn egress;
- (i) A statement as to off-site improvements to the responsibility of the developer, i.e.,
  - 1. The restriping of Route 25 to provide for a westbound to southbound left turn land;
  - 2. The closing of the existing median opening on Route 105 to northbound to westbound left hand turns...."

**SECOND:** The Riverhead Planning Board pursuant to the Special Permit provisions of the Riverhead Code (Chapter 108) and the Town Law made the following findings by resolution:

"THEREFORE, BE IT RESOLVED, that the Riverhead Planning Board, after careful review and consideration of all documents relating to the William Hubbard special permit petition, would recommend that a condominium (multi-family residential) use is an appropriate use for the subject land and preferable to other identified uses and

subdivision at a yield of one (1) unit per 20,000 sq. ft., and

BE IT FURTHER RESOLVED, that the conclusion of the Planning Board stems from a recognition that the subject property holds certain qualities which would support multi-family development. These include:

- (i) Inclusion in a zoning district which provides for the use;
- (ii) Proximity to the Riverhead Sewer District;
- (iii) Proximity to major collector roadways;
- (iv) Inclusion within the Riverhead Water District;
- (v) Inclusion within the Riverhead Hamlet;
- (vi) Proximity to existing residential development;
- (vii) The existence of natural features (freshwater wetlands, common boundary with Suffolk County parkland) which would be best protected through multi-family condominium development;
- (viii) The existence of disturbed areas which would be redeveloped via condominium construction, and

BE IT FURTHER RESOLVED, that the Riverhead Planning Board is aware that the residential unit yield identified within the subject petition is an expression of the maximum yield allowed under the Business A Zoning Use District and that since this Board does not hold an engineered site plan with depicts those mitigation measures identified within the aforementioned Finding Statement as well as requirements of the Business A Zoning Use District, no recommended yield will come from this Board until such site plan and condominium map is forthcoming, and ..."

**THIRD:** The Suffolk County Planning Commission pursuant to the Suffolk County Charter made the following Findings by resolution:

- "
1. The contemplated density of development is excessive;
  2. The density of development exceeds requirements set forth in the zoning ordinance particularly if only upland areas are considered;
  3. It is inconsistent with the Long Island Regional Element of the New York State Coastal Zone Management Plan which designates premises for residence development not exceeding four (4) dwellings units/acre; and,



4. Premises can be reasonably development at a diminished density of development.
5. This commission would like to see twenty (20) per cent affordable housing..."

#### FINDINGS

FIRST: This Town Board adopts and reaffirms its findings in the "Findings Statement" (12/20/88) and the findings of the Riverhead planning board (2/16/89) as part of this Special Permit resolution.

SECOND: The site is properly zoned (business A-Resort Business) for the proposed use. The site is such a size and location that the proposed use can physically be constructed thereon while mitigating any adverse environmental impacts. The site has been zoned for the proposed use for at least ten (10) years without objection or proposed change or offers of acquisition by public entities.

THIRD: The number of units that may be built on the site is governed by Section 108-29 of the Riverhead Code. No particular number of units is specified. Eight hundred (800) square feet of floor area may be built for each eight thousand (8000) square feet of lot area. The site contains 3,413,361 square feet of lot area. The maximum building floor area permitted on this site is 341,336 square feet. The number of units will be determined pursuant to further resolutions of this Board and the Planning Board pursuant to Section 108-31.1, Article XXVI and the procedure for Planning Board approval. For instance: assuming 2,000 square foot units

(discounting the floor area of the recreational facilities), it would be possible to site 170± units on the property. Assuming units with an average square footage of 800 square feet, the site would yield 426 units.

**FOURTH:** There is a community need for the proposed mid range attached housing and public recreational facilities which can be developed on the site. Staging of the construction as proposed will match the construction to the need. The projected three to five year development plan is reasonable. Staging can be insured through the Planning Board approval process.

**FIFTH:** The site is outside the boundaries of the Riverhead Water District, however, the site can be practically and at no cost to the Riverhead Water District included in the District. The Water District has sufficient capacity to serve the proposed use.

**SIXTH:** The site is outside the boundaries of the Riverhead Sewer District. Currently, the Riverhead Sewer District has been ordered by the NYSDEC not to extend the Sewer District or to authorize new hook-ups without permission of the NYSDEC. A dispute exists between the Town of Riverhead and the NYSDEC as to the total operating capacity of the existing Riverhead Sewage Treatment Plant in relation to new users. As a result thereof, it cannot be found that the existing Sewage Treatment Plant can accommodate the proposed use.

The site abuts the Riverhead Sewer District Sewage Treatment Plant. The location, topography and soils on the site indicate

been designated as the area in which housing of a higher density per acre is permitted.

NINTH: The proposed residential use can be structured through the site plan and Planning Board approval process to limit the number of bedrooms and thereby the number of residents such that the demand for school district services are mitigated. The site design and amenities of the use and their proximity to Indian Island Park and the County golf course have been structured such that the residential units can be marketed to the second home market (a "Resort Business") thereby further mitigating the potential impact on schools.

TENTH: The impacts on real property taxes for maintenance of interior roads and drainage is minimized by their remaining in private ownership. The tax impacts for police services are mitigated by the provision for private security on site.

ELEVENTH: The site layout and design may result in the siting of the allowable on site while preserving the wetlands thereon as open space.

TWELFTH: The vehicular traffic anticipated by the proposed use can be accommodated by County Road 105.

THIRTEENTH: The proposed use of the site is preferred to permitted or potential residential subdivision uses of the site in terms of real property tax revenues vs. tax burdens and traffic. Each alternative or permitted use would generate more school children, vehicular trips per day, demands for highway maintenance and police services and less real property tax revenues.

FOURTEENTH: The proposed use is not located unreasonably near a church, school, theater, recreational area or other place of public assembly.

FIFTEENTH: The proposed use is well situated in that it is within the "Hamlet" and has reasonable access to emergency facilities, public utilities, shopping, recreational facilities and other necessary services.

SIXTEENTH: The proposed use is readily served by police, fire and ambulance services.

SEVENTEENTH: The proposed use will not result in any type of environmental pollution such as noise, light, vibration, odors, etc.

EIGHTEENTH: The exact design site plan and layout of the proposed use must be further defined consistent with the environmental constraints of the site by the Planning Board and Town Board as part of the process outlined in Section 108-31.1, Article XXVI and the Planning Board approval process.

NOW, THEREFORE, this Town Board does make the following determinations:

#### DETERMINATIONS

FIRST: The maximum total building area permitted on the site is 341,336 square feet. No determination of the total number of residential units permitted on the site is made by this resolution. The total number of residential units, their size, number of bedrooms, amenities, design, architecture, location and all other attendant details shall be determined by resolutions of the Town

that an internal collection system and transmission system can be designed to hook up the proposed use to the Sewage Treatment Plant. It is possible that modifications of the existing plant and expansion thereof by capital construction could result in sufficient capacity in the sewage treatment plant to serve the proposed use. As a condition of the extension of the Sewer District (a no-cost extension) and hook up, the owner would be required to pay his proportional share of the upgrading and expansion of the sewage treatment plant. Those funds from the owner would have a substantial beneficial impact on the taxpayers within the Riverhead Sewer District.

Staging of construction will have a mitigating effect upon the costs and environmental impacts attendant to expansion of the District and plant. Flows from the site will not occur for at least one year. Such flows, if permitted, will be limited to the first section to be developed (say no more than 150 units). Such flows if permitted will start low and progress as units are sold. Further initial construction and occupancy of units can be served by a communal septic system which can be abandoned when access to the Riverhead Sewer System will be available. Capital contributions from the owner can be obtained in advance of the construction of improvements to the sewer plant.

SEVENTH: In the event that the site cannot be served by the Riverhead Sewer District, the proposed use can be served by a communal on-site sewage treatment plant.

EIGHTH: The site is within the "Riverhead Hamlet" which has

the Town Board and Planning Board pursuant to the procedures called out by Sections 108-31.1 and Article XXVI of Chapter 108 of the Code of the Town of Riverhead and the rules of the Riverhead Planning Board.

**SECOND:** This Board determines not to follow the recommendations of the Suffolk County Planning Commission on the basis that the considerations called out by the Planning Commission are premature at this stage of the application. The number of units to be approved on the site is yet to be decided. When and if the number of units permitted is decided, that decision will be referred to the Planning Commission as is required by applicable state laws. That referral will also include any reference to "affordable housing" if the same becomes a consideration in the further approvals of this use.

**THIRD:** The granting of the Special Permit and use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

**FOURTH:** The hazards or disadvantage to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by the neighborhood and the Town.

**FIFTH:** The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by this special permit.

**SIXTH:** The special permitted use will be in harmony with and

promote the general purposes and intent of Chapter 108.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the of WILLIAM HUBBARD to construct and use clustered residential housing units with accessory recreational buildings and amenities consisting of 341,336 square feet of building area as conceptually shown on the site plan of H2M Group submitted at the public hearing on November 15, 1988 is granted subject to the following conditions:

1. The applicant shall submit detailed site plan as is required by Article XXVI and Section 108-31.1 of the Code of the Town of Riverhead.
2. That the applicant must demonstrate, through a detailed site plan, the ability to physically construction 341,336 square feet of building area upon the property while maintaining the protection of those natural features identified as existing on the site by the final environmental impact statement.
3. This permit is subject to and conditional upon the inclusion of the applicant's property in the Riverhead Sewer District and connection to Riverhead Water District. Alternatively, if the Town Board by resolution decides not to include the site in the Riverhead Sewer District, this permit is subject to the applicant obtaining the necessary permits from all applicable regulatory agencies for the construction and operation of an on-site sewage treatment facility.
4. The special permitted use is limited to a maximum of 341,336 square feet of building area as presented by the applicant and depicted on the proposed site layout as the same may be modified by further resolution of the Town Board and/or the Planning Board.
5. This approval is subject to approval by the Health Department of the County of Suffolk and subject to the preparation by the applicant of a condominium map (or a homeowners association plan) in a form in accord with the regulations of the Suffolk County Planning Commission and Riverhead Town Planning Board and the approval upon recommendation of the Suffolk County Planning Commission by the Riverhead Planning Board, pursuant to Section 108-31.1 of the Code of the Town of Riverhead and other applicable laws, rules, etc..

31.1 of the Code of the Town of Riverhead and other applicable laws, rules, etc..

6. This permit is subject to posting of bonds, and/or the payment of any fees as required by the Riverhead Town Code upon final map approval.

7. The applicant shall execute and cause to be recorded with the Suffolk County Clerk such restrictive covenants, running with the land, as required by the Town Board and/or Planning Board to carry out the intent of this resolution and to comply with the further applicable provisions of the Riverhead Town Code.

and, be it further

RESOLVED, that no units shall be sold, except upon a prospectus for a condominium offering (or HOA) as shall be previously authorized for distribution by the Attorney General of the State of New York, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for the applicants, the Planning Board and The Riverhead Building Department and that she further shall publish and post public notice of this resolution.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared **TABLED.**



Rider\* which may be used with Standard NYBTU Form 8041, rev. 11/78

## SCHEDULE A

BEGINNING at a point on the south side of land of the Long Island Railroad on the northeast corner of premises herein described and the northwest corner of land of the County of Suffolk;

running thence along land of the County of Suffolk the following twelve course and distances:

1. South 25° 02' 40" East, 470.81 feet;
2. South 20° 35' 20" East, 152.61 feet;
3. South 28° 26' 40" East, 176.17 feet;
4. South 25° 28' 20" East, 151.00 feet;
5. South 34° 33' 40" East, 79.57 feet;
6. South 23° 40' 30" East, 54.58 feet;
7. South 28° 20' 20" East, 72.34 feet;
8. South 27° 12' 20" East, 47.02 feet;
9. South 25° 45' 40" West, 38.00 feet;
10. South 24° 35' 30" East, 152.14 feet;
11. North 84° 16' 30" East, 212.70 feet;
12. North 87° 42' 30" East, 30 feet more or less

to the westerly line or side of County Road 105 also known as Cross River Drive; thence along the westerly side of Cross River Drive on a regular curve curving to the right having a radius of 2206.83 feet a distance of 901 feet more or less to the northerly line of Saw Mill Brook;

running thence along the northerly line of Saw Mill Brook as it winds and turns a distance of 2260 feet more or less;

running thence South 23° 48' 10" East, 100 feet to land of the County of Suffolk;

running thence along land of the County of Suffolk to Riverhead Sewer District and Anthony Sagliocca and others the following nine courses and distances:

1. North 83° 20' 0" West, 357.35 feet;
2. South 23° 48' 10" East, 36.69 feet;
3. North 78° 04' 10" West, 347.60 feet;
4. South 87° 32' 50" West, 28.22 feet;
5. North 70° 27' 40" West, 52.49 feet;
6. North 64° 19' 40" West, 62.80 feet;
7. North 61° 05' 50" West, 132.77 feet;
8. North 64° 29' 40" West, 76.83 feet;
9. North 69° 39' 20" West, 88.13 feet to land of

the Long Island Railroad:

running thence along land of the Long Island Railroad the following twelve courses and distances:

1. North 64° 56' 40" East, 36.35 feet;
2. North 71° 10' 20" West, 8.66 feet;
3. North 64° 56' 40" East, 226.57 feet;
4. South 24° 35' 20" East, 14.40 feet;
5. North 64° 39' 50" East, 362.30 feet;
6. North 65° 0' 10" East, 100.0 feet;
7. North 64° 56' 50" East, 200.0 feet;
8. North 65° 0' 10" East, 100.0 feet;
9. North 64° 56' 50" East, 300.0 feet;
10. North 65° 0' 10" East, 1101.36 feet;
11. South 25° 14' 40" East, 2.73 feet;
12. North 65° 0' 10" East, 665.48 feet to the

point or place of BEGINNING.

All as surveyed by Young and Young, dated September 5, 1975, and comprising approximately 77 contiguous acres.

TOGETHER with all the right, title and interest of Parties of the first part in and to any lands lying in the Bed of Saw Mill Brook, and in and to any lands lying in the

# 270 AWARDS BID FOR WATER METERS FOR RIVERHEAD WATER DISTRICT

Councilperson Pike offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for water meters for the Riverhead Water District; and

WHEREAS, bids were received and read aloud on the 14th of March, 1989, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for water meters for the Riverhead Water District be and is hereby awarded to Rockwell International in the amounts as follows:

- Item #1 - 100 1" inside meter - \$102.78 ea., Generator Type Remote, less connections
- Item #2 - 50 1" pit - \$ 86.97 ea., Standard Register, less connections
- Item #3 - 150 5/8" x 1/2" inside meter - \$ 56.45 ea., Generator Type Remote, less connections
- Item #4 - 200 5/8" x 1/2" pit - \$ 40.64 ea., Standard Register, less connections

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rockwell International, Pierre G. Lundberg, Esq., and the Riverhead Water District.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 271 AUTHORIZING CHESTERFIELD ENTERPRISES, LTD., TO PREPARE  
AND SUBMIT APPLICATION FOR NEW YORK STATE AFFORDABLE  
HOUSING CORPORATION AND INFRASTRUCTURE FUNDS

Councilperson Civiletti offered the following  
resolution which was seconded by Councilperson Lombardi.

WHEREAS, the Town Board of the Town of Riverhead recognizes  
the need for affordable housing in Riverhead; and

WHEREAS, the New York State Affordable Housing Corporation  
and the New York State Infrastructure Development Fund have funds  
available to subsidize the construction of qualified Affordable  
Housing units and to provide infrastructure improvements to such  
developments; and

WHEREAS, Chesterfield Enterprises, Ltd., is proposing to  
construct two and three bedroom single family attached homes on a  
16.56 acre tract of land on the East side of Horton Avenue north  
of Middle Road, Riverhead, New York, for sale to moderate income  
families at an average subsidized cost of \$75,000.00.

NOW, THEREFORE, BE IT RESOLVED, that Chesterfield  
Enterprises, Ltd., is hereby authorized to prepare the above  
referenced application for funding, to be reviewed and finalized  
by the Town of Riverhead Community Development Agency prior to  
submission to the New York Affordable Housing Corporation; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is  
authorized and directed to execute the certification to the New  
York State Affordable Housing Corporation as required by said  
Corporation upon satisfactory review by the Town of Riverhead  
Community Development Agency; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
authorized to forward a certified copy of this resolution to  
Andrea Lohneiss, Community Development Director.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was theruepon duly declared adopted.

# 272 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD  
RE: PART-TIME CLERK SCAVENGER WASTE DISTRICT

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, a vacancy presently exists in the position of Part-Clerk for Saturdays only with the Riverhead Scavenger Waste District.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post Help Wanted Ad in the April 6, 1989 issue of the News Review.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of part-time clerk for Saturdays only with the Town of Riverhead Sewer District. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after March 30, 1989. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

BY ORDER TO THE RIVERHEAD TOWN BOARD  
Irene J. Pendzick, Town Clerk

Dated: April 4, 1989

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 273 APPOINTS NANCY MORROW TEMPORARY PART-TIME CLERK WITH  
RIVERHEAD SCAVENGER WASTE DISTRICT

Councilperson Pike offered the following  
resolution which was seconded by Councilperson Civiletti.

RESOLVED, that Nancy Morrow be and is hereby appointed  
temporary part-time clerk with the Riverhead Scavenger Waste  
District at the hourly rate of \$6.27 effective immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
authorized to forward a certified copy of this resolution to  
Nancy Morrow, the Sewer District and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 274 AUTHORIZES SUPERVISOR TO INCREASE PETTY CASH TO THE  
RIVERHEAD SEWER WASTE DISTRICT

Councilperson Civiletti offered the following  
resolution which was seconded by Councilperson Lombardi.

WHEREAS, Malcolm Pirnie, the engineer for the Sewer  
District, has requested an increase in petty cash from \$100 to  
\$200.

NOW, THEREFORE, BE IT RESOLVED, that petty cash for the  
Riverhead Sewer District be and is hereby increased from \$100 to  
\$200; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
authorized to forward a certified copy of this resolution to  
Malcolm Pirnie and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/4/89

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No. 275 WATER DISTRICT HELP WANTED AD AUTHORIZED .

Councilperson Lombardi offered the following resolution, seconded  
by Councilperson Civiletti -

RESOLVED, That the Town Clerk be, and is hereby authorized, to  
publish and post the following "Help Wanted Ad" in the official  
newspaper of the Town of Riverhead:

HELP WANTED AD

The Riverhead Town Water District is seeking individuals to  
fill the position of Maintenance Mechanic II. Qualifications for  
this position are at least two years working experience in a  
skilled trade, such as plumbing or electrical, etc...

Interested individuals must submit an application to the  
Accounting Department, 200 Howell Avenue, Riverhead, New York  
between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No  
applications will be accepted, for this position after April  
14, 1989. The Town of Riverhead does not discriminate on the  
basis of race, color, national origin, sex, age or handicapped  
status in employment or the provisions of service.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Irene J. Pendzick, Town Clerk

Dated: April 4, 1989

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.



# 276 DETERMINES ENVIRONMENTAL SIGNIFICANCE OF AMENDMENTS TO OFFICE/  
SERVICE ZONE

Councilperson Pike offered the following  
resolution, which was seconded by Councilperson Civiletti.

WHEREAS, the Riverhead Town Board has proposed certain amendments  
to the dimensional and parking requirements of the Office/Service Zone,  
and

WHEREAS, the Riverhead Planning Department has prepared an  
Environmental Assessment Form, and

WHEREAS, the Environmental Assessment Form did not illustrate any  
substantial environmental impacts associated with such amendments;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the  
lead agency in the amendments to the Office/Service Zone, and

BE IT FURTHER

RESOLVED, that the subject amendments are not considered to have a  
significant effect upon the environment and that an Environmental Impact  
Statement will not be prepared, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department forward these  
notices of non-significance as required by 6 NYCRR Part 617.10.

Dated: April 4, 1989

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD, NEW YORK

IRENE J. PENDZICK  
TOWN CLERK

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance

March 31, 1989

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action** - Office/Service Zone Zoning Code Amendment Sections 108-142 through 108-145

**SEQR Status** - Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** The Town Board proposes to revise the above referenced sections of Code to provide: (1) relief from required site and rear yard dimensions on preexisting, nonconforming lots where no opportunity exists (or existed since June 4, 1985) for creating larger lots by merging of commonly owned property; (2) establishment of 35' as the maximum building height without exception; (3) increased off-street parking for non-medical or retail and service uses.

**Location:** The entire Office/Service Zone as adopted by resolution of the Town Board on June 4, 1985, and depicted on the Zoning Use Map of the Town of Riverhead. Generally about County Route 58 in the Doctor's Path-Northville Turnpike area, Riverhead Hamlet and Township, Suffolk County

**Reasons Supporting This Document:**

A review of the environmental assessment form accompanying this application as well as the Planning and SEQR report completed by the Riverhead Planning Department indicates that identified environmental impacts will not be significant. This determination is based upon the following:

The action as defined in 617.2(b) and 617.3(k) was considered by examination of the Environmental Assessment Form and supporting documentation. No potentially large and important impacts were discovered. All impacts which can reasonably be expected to result from this action when compared to the criteria of 617.11 revealed no indications of significant effect.

**For further information:**

**Contact Person:** Joseph B. Hall, Environmental Planner  
Town of Riverhead Planning Department  
200 Howell Avenue  
Riverhead, NY 11901  
(516) 727-3200

# 277 DETERMINES ENVIRONMENTAL SIGNIFICANCE OF LITTLE FLOWER  
CHILDREN'S SERVICES SPECIAL PERMIT PETITION

Councilperson Civiletti offered the following resolution,  
which was seconded by Councilperson Lombardi.

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition for the expansion of a specially-permitted use; such petition submitted by the Little Flower Children's Services, and

WHEREAS, after a review of the Environmental Assessment Form submitted with subject petition, the Riverhead Planning Department has recommended that the action be regarded as having no significant impact upon the environment;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the lead agency in the matter of the special permit petition of the Little Flower Children's Services, and

BE IT FURTHER RESOLVED, that upon the report and recommendation of the Riverhead Planning Department, the Riverhead Town Board consider the petition to be an Unlisted Action with no significant impact upon the environment and that an Environmental Impact Statement shall not be prepared, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department forward those notices on non-significance as required by NYCRR Part 617.10.

Dated: April 4, 1989

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD, NEW YORK

IRENE J. PENDZICK  
TOWN CLERK

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance

March 28, 1989

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action - Little Flower Children's Services, Residence Structure, Special Use Permit

SEQR Status - Unlisted

Conditioned Negative Declaration: No

Description of Action: Applicant proposes to construct a 5,000 square foot one story masonry residence structure, drive, drainage leaching pools and septic system.

Location: North side of North Wading River Road, east of North Side Road, Wading River Hamlet, Riverhead Township, Suffolk County, Suffolk County Tax Map No. 0600-36-1-2

Reasons Supporting This Document:

A review of the Environmental Assessment Form accompanying this application as well as the Planning and SEQR report completed by the Riverhead Planning Department indicates that identified environmental impacts will not be significant. This determination is based upon the following:

The action as defined in 617.2(b) and 617.3(k) was considered by examination of the Environmental Assessment Form and supporting documentation. No potentially large and important impacts were discovered. All impacts which can reasonably be expected to result from this action when compared to the criteria of 617.11 revealed no indications of significant effect.

For further information:

Contact Person: Joseph B. Hall, Environmental Planner  
Town of Riverhead Planning Department  
200 Howell Avenue  
Riverhead, NY 11901  
(516) 727-3200

# 278 ACCEPTS BOND OF MOHRING ENTERPRISES, INC. (MESTA VISTA)

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Riverhead Planning Board, by resolution dated January 3, 1989, approved the subdivision map entitled "Mesta Vista", subject to the posting of a bond in the amount of five hundred sixty-five thousand and 00/100 (\$565,000.00), covering the costs of improvements required by said resolution; and

WHEREAS, a letter of credit has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the letter of credit of Mohring Enterprises, Inc., assuring the completion of the improvements in the subdivision known as "Mesta Vista", covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for applicant, the Planning Board and the Building Department.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 279 ACCEPTS BOND OF MOHRING ENTERPRISES, INC. (MESTA VISTA)

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Riverhead Planning Board, by resolution dated January 3, 1989, approved the subdivision map entitled "Mesta Vista", subject to the posting of a bond in the amount of one hundred thirty thousand and 00/100 (\$130,000.00), covering the costs of the park, playground and recreation area improvements as required by said resolution; and

WHEREAS, a letter of credit has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the letter of credit of Mohring Enterprises, Inc., assuring the completion of the park, playground and recreation improvements in the subdivision known as "Mesta Vista", covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for applicant, the Planning Board and the Building Department.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

NO. 280 ADOPTS AMENDMENT TO RIVERHEAD TOWN CODE AND ZONING USE DISTRICT MAP (BUSINESS "CR" TO MULTI-FAMILY RESIDENTIAL/PROFESSIONAL OFFICE - WADING RIVER.

Councilperson Pike offered the following resolution, seconded by Councilperson Civiletti.

WHEREAS, Resolution No. 239, adopted on March 21, 1989, contained a typewritten error regarding the Change of Zone as intended by this Town Board, and

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding development standards in Section 108-167 through Section 108-174 of the Riverhead Town Code and amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOVLED, that the amendments to Section 108-167 through Section 108-174 of the Riverhead Town Code and the Town of Riverhead Zoning Use District Map be and are hereby adopted as attached hereto, which amendments in particular incorporate the Highway Commercial/Service Zone into the Riverhead Town Code and those areas presently zoned Business "CR" to Multi-Family Residential/Profesional Office on the Town of Riverhead Zoning Use Map; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached amendments once in the Riverhead News-Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

\*See following pages for code in its entirety with maps.



## ARTICLE VB/RESIDENCE E DISTRICT

## MULTI-FAMILY RESIDENTIAL/PROFESSIONAL OFFICE ZONE

## 108-167 Purpose

The purpose of this Article are to provide for multi-family residences and professional office activities adjacent to neighborhood commercial areas; to respect and preserve the existing rural and woodland character of hamlets; and to provide for coordinated site design which unifies individual developments, thereby allowing convenient and safe vehicular circulation and promoting high quality design of developments which compliments the scale and hamlet character of these areas.

## 108-168 Zoning Use Classification

The zoning use classification known as Residence E District shown on the attached amendment to the Zoning Use Classification Map is hereby adopted.

## 108-169 Uses

In the Residence E District no building, structure, or premises shall be used, arranged or designed to be used, arranged or designed to be used, and no building or structure shall hereafter be erected, reconstructed or altered, unless otherwise provided in this chapter, except for either one of the following permitted uses and their customary accessory uses.

## A. Permitted Uses.

(1) Multi-family residential condominiums served by a community water system of Health Services.

(2) Day care centers of nursery schools as defined by social services law.

(3) Professional Offices of:

(a) Accountants

Architects

Artists

Attorneys

Audiologists

Bookkeepers

Chiropractors

Dentists

Engineers

Income tax preparers

Insurance agents or brokers

Interior designers

Journalists

Medical doctors

Optometrists

Osteopaths  
Podiatrists

(b) Person or persons determined by the Town Board to be engaged in a profession similiar to those set forth above.

B. Accessory Uses: Those uses customarily incidental to any of the above permitted uses when located on the same lot and not involving the conduct of a business.

108-170 Development Standards

A. Lot Area: The minimum lot area shall be one hundred and sixty thousand (160,000) square feet.

B. Lot Width: The minimum lot width (frontage) shall be four hundred (400) feet.

C. Yards

(1) Front: The minimum front yard shall be fifty (50). No building, structure or parking shall be located in the front yard so provided.

(2) Side: The minimum side yard shall be twenty five (25) feet.

(3) Rear: The minimum rear yard shall be fifty (50) feet, except that the minimum rear yard shall be twenty five (25) feet when adjacent to a property within a Residence E zoning district.

D. Building Area

(1) The maximum building area for professional office uses shall be seventeen percent (17%).

(2) The number of dwelling units permitted for residential uses shall be based on the number of bedrooms per dwelling unit and the type of community water and sewage system provided, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site as follows:

(a) One bedroom dwelling units -4.0/acre.

(b) Two bedroom dwelling units -3.0/acre.

E. Height: The maximum height of buildings and structures shall be thirty five (35) feet.

108-171 Landscaping, Screening and Buffering.

A. Screening and Buffering shall meet the minimum requirements of 108-64.1 of this chapter.

B. Yard Landscaping: Within all the required yards the existing vegetation shall be retained. Any proposals for

disturbance shall be subject to site plan approval and architectural review board recommendation.

C. Preservation of existing Vegetation: Site Plans for the development of property located in a Residence E District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation, or other natural features, so as to ensure their preservation and thereby retain an open space environment which enhances the character of the town.

#### D. Parking Areas

(1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting and be creating planted canopies over parking areas.

(2) Any open parking areas of fifteen (15) spaces or more shall be provided with internal landscaping covering not less than ten percent (10%) of the total area of the parking area.

(3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials may include shrubs and ground cover which shall compliment the tree planting and the surrounding natural environment.

108-172 Access, circulation, and parking.

#### A. Parking

(1) The parking requirement for professional office uses is one (1) space per one hundred and fifty (150) square feet of floor area.

(2) The parking requirement for residential uses is one and one half (1.5) spaces per dwelling unit.

B. Access: No more than one (1) access shall be provided per lot.

#### 108-173 Signage

Signage shall meet the requirements of 108-56, General Sign Code, of the Zoning ordinance.

#### 108-174 Additional Requirements

A. Cluster Development Application: The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article XIX of this Chapter and both will be considered under this provision.

B. Additional Information: The Planning Board, under these provisions and the procedures set forth in the subdivision regulations of the Town of Riverhead, may require the following additional information as a basis for approving the condominium map of such condominium subdivisions:

- (1) A complete site plan showing the location of all landscaping and other improvements, including dwelling units (with floor plans, elevation of all buildings and structures);
- (2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement and approved by the New York State Attorney General;
- (3) Any other information deemed by the Board to be necessary to a reasonable determination of the application.

# Wading River Hamlet Study

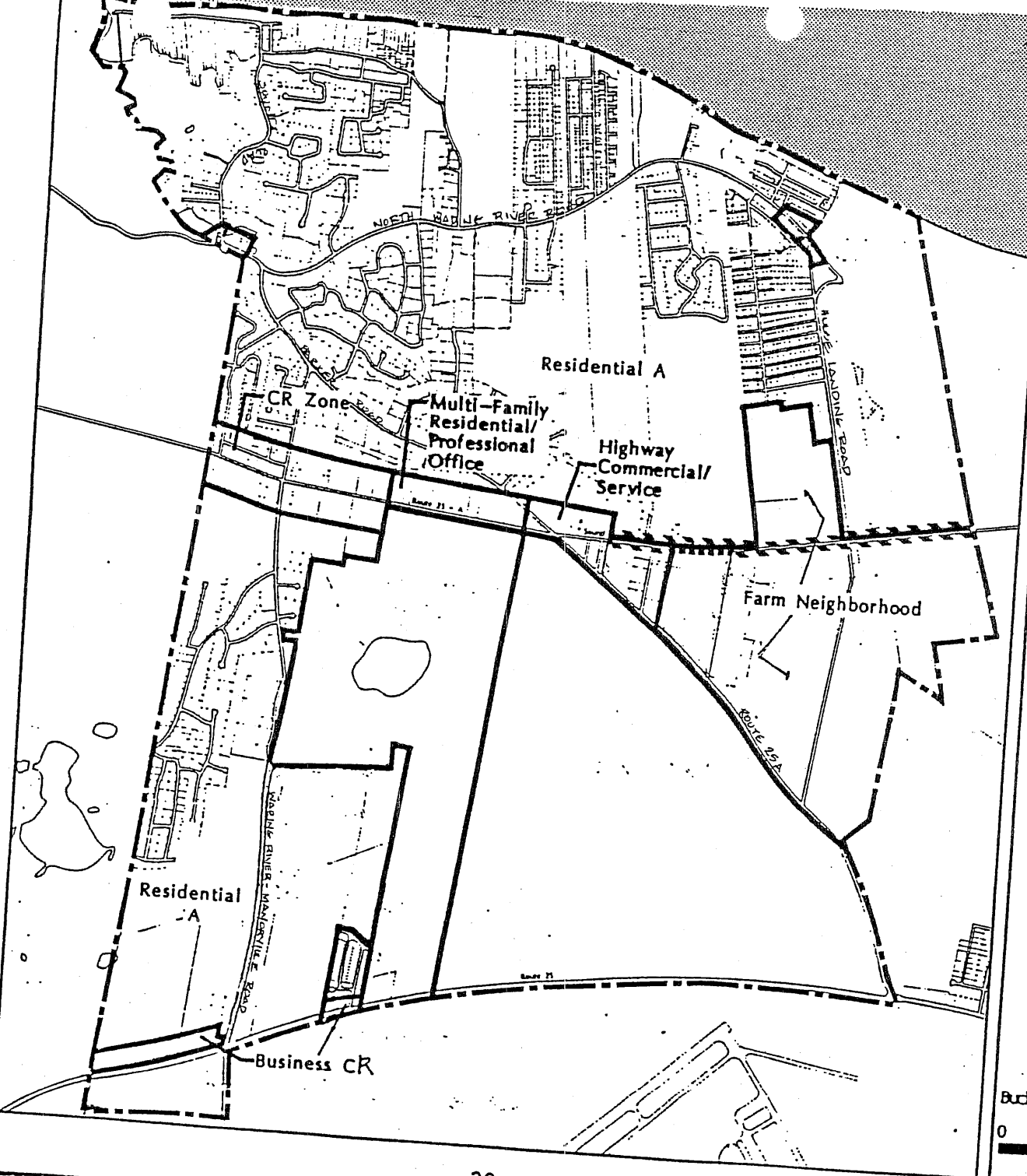
Riverhead, N.Y.

17

## Proposed Zoning



'Scenic' View  
Corridor: 100' Setback



Buckhurst Fish Hutton Katz Inc.

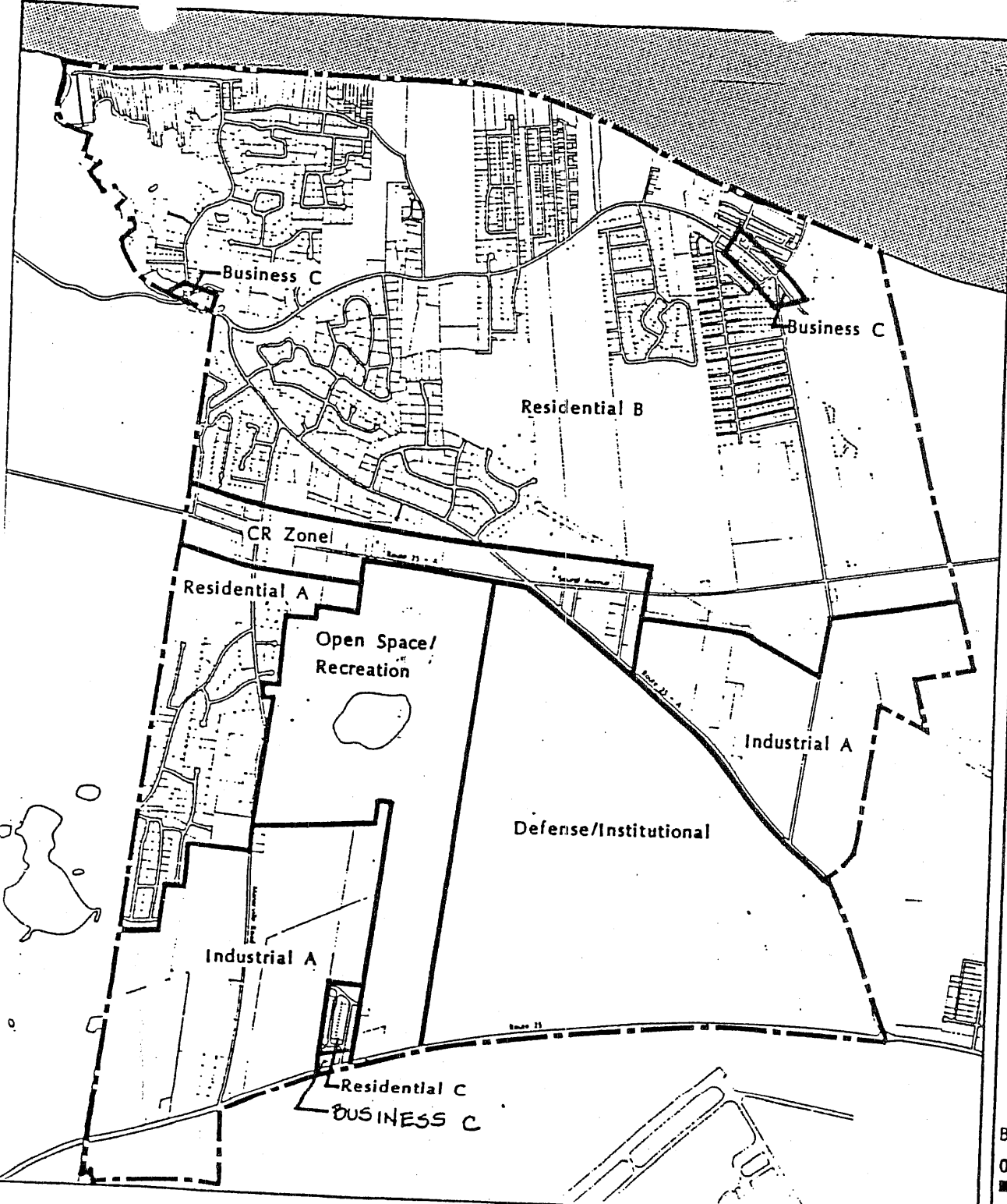
0 3000'



# Wading River Hamlet Study

Riverhead, N.Y.

## 5 Existing Zoning



Buckhurst Fish Hutton Katz Inc.

0' 3000'



RE.: DESIGNATES TOWN REPRESENTATIVE FOR SUFFOLK COUNTY FARMLAND PRESERVATION COMMITTEE AND RELATED MATTERS

# 281

Councilman Civiletti offered the following resolution, which was seconded by Councilman Lombardi:

WHEREAS, the County Executive of the County of Suffolk Patrick Halpin has requested that the Town of Riverhead designate our representative to the Suffolk County Farmland Preservation Committee, and

WHEREAS, the County Executive has also suggested that we advise him as to possible recommendations to be chosen by him for the Suffolk County Farmland Preservation Committee, and

WHEREAS, the Long Island Farm Bureau has recommended Jacob Rottkamp, and

WHEREAS, we have reviewed other suggestions from concerned and affected citizens throughout the town of Riverhead,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead wishes to commend Jacob Rottkamp for his achievements in the increasingly endangered field of farming and request that the Farm Bureau seriously consider him as one of their own official representatives on the Committee, and be it further

RESOLVED that the Town of Riverhead recommends that Phillip Schmitt, Jr. of Riverhead be considered by the County Executive as one of his discretionary choices to the Farmland Preservation Committee, and be it further

RESOLVED that the Town of Riverhead hereby officially designates Edwin Fishel Tuccio, Jr. of the North Quarter Farm as its official representative to the Suffolk County Farmland Preservation Committee.

Dated: Riverhead, New York  
April 3, 1989

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE PENDZICK, Town Clerk

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted.

No. 282 APPOINTS MEMBER TO INDUSTRIAL DEVELOPMENT AGENCY

Councilperson Pike offered the following resolution, seconded by Councilperson Civiletti

WHEREAS, a vacancy exists on the Industrial Development Agency due to the fact that Supervisor Joseph Janoski, was not appointed by resolution of this Town Board, and

WHEREAS, this Board considers the goals of the Industrial Development Agency to be worthy and in the best interests of the Town and its citizens,

NOW, THEREFORE, BE IT RESOLVED,

That Gloria Ingegno be and is hereby appointed to the Riverhead Industrial Development Agency, to serve at the pleasure of the Town Board, and the Town Clerk is hereby directed to send a copy of this resolution to Mr. Walter Paulik, Supervisor Janoski and Gloria Ingegno.

Councilman Civiletti offered an amendment to the above resolution (see page 399-401 of the Minute Book) which was seconded by Councilman Pike.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared **AMENDED**.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted as amended.



No. 283 APPOINTS MEMBER TO BOARD OF ASSESSMENT REVIEW

Councilperson Pike offered the following resolution,  
seconded by Councilperson Civiletti

WHEREAS, there is a vacancy on the Town of Riverhead's Board  
of Assessment Review, and

WHEREAS, pursuant to Section 523 of the Real Property Tax Law,  
all members of the Board of Assessment Review must attend an  
annual training session,

NOW, THEREFORE, BE IT RESOLVED,

That MARJORIE ACEVEDO is hereby appointed to a five-year term  
to October 1, 1993, as a member of the Board of Assessment  
Review, pursuant to Section 523 of the Real Property Tax Law,

AND BE IT FURTHER RESOLVED,

That the Town Clerk be and is hereby authorized to forward a  
copy of this resolution to the Board of Assessors, the N.Y.S.  
Division of Equalization and Assessment, and Marjorie Acevedo.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted.

#284 REGARDING THE LONG ISLAND LANDFILL LAW

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi :

WHEREAS the Town of Riverhead operates a landfill for the disposal of municipal solid waste and

WHEREAS the New York State "Long Island Landfill Law" mandates that the Town of Riverhead discontinue its landfilling of unprocessed municipal solid waste after December, 1990 and

WHEREAS the Director of Region I of the New York State Department of Environmental Conservation, by letter dated February 28, 1989 to Supervisor Janoski, requested that the Town, by a resolution of this Board, notify the Department of Environmental Conservation of its plans to comply with the mandates of said "Long Island Landfill Law" and

WHEREAS this Board, by Resolution Number 147 of 1989, adopted the recommendations of the Solid Waste Management Committee of the Town Board contained in the January 1989 report of said committee to the Town Board

NOW THEREFORE BE IT RESOLVED that this Town Board re-affirms its commitment to the policy recommendations of the Board's Solid Waste Management Committee as set forth in the aforementioned report of said Committee; and

BE IT FURTHER RESOLVED that the New York State Department of Environmental Conservation, Region I be advised as follows:

1. That the Town of Riverhead intends to implement, by January 1, 1990, a town-wide source separation and recycling program for the diversion of recyclable wastes from its landfill;

2. That the Town of Riverhead, as a member of the East End Recycling Association, intends to participate jointly with the Towns of Southold, Shelter Island, East Hampton and Southampton in a regional plan for the transfer, separation, marketing and shipment of recyclable municipal solid wastes;

3. That the Town of Riverhead also intends to construct and maintain, either by itself or in conjunction with one or more neighboring towns, a composting facility for the composting of yard wastes, food wastes and wet paper waster;

4. That the Town of Riverhead intends to seek new, appropriate, secure landfill space for the landfilling of the "residue" of its recycling-composting solid waste management program;

5. That the above-listed solid waste management alternatives are chosen in accordance with the priorities set forth in the New York State Solid Waste Management Plan;

6. That the town of Riverhead has no present intention to participate with the Town of Brookhaven in any waste-to-energy facility;

7. That the Town of Riverhead has no present intention to participate with the Town of Southampton in any waste-to-energy facility;

8. That the Town of Riverhead, as set forth in said Resolution 147 and in the said report of the Solid Waste Management Committee, and, in accordance with the New York State Solid Waste Management Plan, has adopted a policy for solid waste management which does not include incineration of municipal solid waste at a waste-to-energy facility;

9. That, by all reasonable estimates, any waste-to-energy facility currently proposed for the Town of Brookhaven or to be proposed in the future for the Town of Southampton, will not be operational until long after the December, 1990 landfill closure deadline;

10. That, in addition to avoiding the economic and environmental risks of a waste-to-energy facility, the Town Board of the Town of Riverhead believes that the Town of Riverhead will be more successful in complying with the mandates of the "Long Island Landfill Law" by implementing its plan to reduce, recycle and compost municipal solid waste than it would if it participated in any proposed joint waste-to-energy facility with either the Town of Brookhaven or the Town of Southampton;

11. That the Town of Riverhead is presently, on a volunteer basis throughout the community, separating newspapers, cardboard, aluminum and tin cans, plastics, waste oil and white metal, all of which are presently being marketed through private sector initiative;

12. That the Town of Riverhead expects to site a household hazardous waste storage facility at the town landfill within 60-90 days for the separate collection and storage of household hazardous wastes.

BE IT FURTHER RESOLVED that the Town Board of the Town of Riverhead extends its apology to the Regional Director of the Department of Environmental Conservation for its delinquency in submitting this Resolution in response to his February 28, 1989 request; and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby directed to forward to the Director, Region I, New York State Department of Environmental Conservation both a certified copy of this Resolution and a copy of the January, 1989 report of the Solid Waste Management Committee entitled, "Recommendations Regarding Solid Waste Management Policies and Programs for the Town of Riverhead," on or before April 7, 1989.

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby Directed to forward certified copies of this Resolution to the Town Clerks of the towns of Brookhaven and Southold.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

**#285: AUTHORIZES PAYMENT OF BILLS.**

Councilman Lombardi offered the following resolution which was seconded by Councilman Pike.

**RESOLVED**, that the Supervisor be and is hereby authorized to pay the following:

**GENERAL TOWN**

Abstract #6a vouchers 151, 153, 154  
690-699 totalling \$418,830.82

**HIGHWAY**

Abstract #6a vouchers 104 totalling \$ 12,069.50

**TOWN HALL CAP. PROJECTS**

Abstract 6a vouchers 26a-29a totalling \$ 43,005.40

**PUBLIC PARKING**

Abstract #6a vouchers 21-22 totalling \$136,111.95

**STREET LIGHTING**

Abstract #6a vouchers 39 totalling \$ 381.95

**DISCRETIONARY**

Abstract #6a vouchers 38-39 totalling \$ 210.68

**YOUTH SERVICES**

Abstract #6a vouchers 10-13, 16 totalling \$ 2,514.73

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.